

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

Susie Gassett-Winfield

(Name of plaintiff or plaintiffs)

v.

CIVIL ACTION NO. _____

Shelby County Schools

(Formerly Known As)

Memphis City Schools

(Name of defendant or defendants)

COMPLAINT UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

1. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the Court by 42 U.S.C. §2000e-5. Equitable and other relief are also sought under 42 U.S.C. §2000e-5(g).

2. Plaintiff, Susie Gassett-Winfield
(name of plaintiff)

is a citizen of the United States and resides at 8815 Dewberry Lane
(street address)

Cordova USA Tennessee
(city) (country) (state)

38016 (901) 552-5058
(zip code) (telephone number)

3. Defendant Shelby County School (formerly known as) Memphis City Schools
(defendant's name)

lives at, or its business is located at 160 South Hollywood Street Memphis, TN 38112
(street address)

4. Plaintiff sought employment from the defendant or was employed by the defendant at
2597 Avery Avenue

| | | | | |
|----------------|------------|-------------------------|------------------|--------------|
| <u>Memphis</u> | <u>USA</u> | <u>(street address)</u> | <u>Tennessee</u> | <u>38112</u> |
| (city) | (country) | | (state) | (zip code) |

5. Defendant discriminated against plaintiff in the manner indicated in paragraph 9 of this complaint on or about 10 August 2012
(day) (month) (year)

6. Defendant filed charges against the defendant with the Tennessee Fair Employment Commission charging defendant with the acts of discrimination indicated in paragraph 9 of this complaint on or about _____
(day) (month) (year)

7. Plaintiff filed charges against the defendant with the Equal Employment Opportunity Commission charging defendant with the acts of discrimination indicated in paragraph 9 of this complaint on or about 27 September 2012
(day) (month) (year)

8. The Equal Employment Opportunity Commission issued a Notice of Right to Sue, which was received by plaintiff on 24 January 2014. (Attach a copy of the notice to this complaint.)
(day) (month) (year)

9. Because of plaintiff's (1) ____ race, (2) ____ color, (3) x sex, (4) ____ religion, (5) ____ national origin, defendant

(a) ____ failed to employ plaintiff.

(b) x terminated plaintiff's employment.

(c) ____ failed to promote plaintiff.

(d) x retaliation/due to (1) Plaintiff refusal to purchase supervisor gifts.

(2) Refusal to give supervisor money (\$30,000). (3) Plaintiff refusal to accept inappropriate verbal comments.

(e) x continued retaliation (1) Former Supervisor has continued to slander the Plaintiff after her termination, causing her to lose other employment. (2) The Defendant has continued to accept the negative behavior from the Former Supervisor and other employees. (3) The continued retaliation/harassment against the Plaintiff is reflected in the EEOC file and additional reports have been filed with the Memphis Police Department.

10. The circumstances under which defendant discriminated against plaintiff were as follows: (1) The Defendant overlooked the known disability within the Plaintiffs personnel file. The Plaintiff has been disabled for 18 years. (2) The Plaintiff requested to be removed from under her Supervisor due to the fact, his behavior was impacting her disability. Administrators removed the Plaintiff's secretary from under her leadership, but they refused to remove the Plaintiff from under the leadership of her Supervisor, even after receiving a physician's letter. (3) The Plaintiff job responsibilities were the same as the other 3 Attendance Teachers but her pay was at least \$20,000 less. (4) The Plaintiff visited the EEOC in February 2012 prior to her termination due to the hostile work environment. The EEOC advised the Defendant to conduct a thorough investigation regarding the Plaintiff's complaints/concerns. The EEOC records will reflect that the Defendant could not provide them with documentation to reflect that a investigation of the Plaintiffs complaints/concerns was conducted. (5) During a meeting with the HR Staff, the Supervisor ridicule the Plaintiff disability several times and the Administrators did not intervene. (6) The Plaintiff received a death threat that was not investigated by the Defendant. (7) Defendant did not follow their own policy at that time (Guidelines for Progressive Discipline & Grievance Procedures) which protects employees from all forms of harassment/discrimination. They omitted the 6 steps to follow prior to terminating a employee.

11. The acts set forth in paragraph 9 of this complaint

- (a) x are still being committed by defendant.
- (b) _____ are no longer being committed by defendant.
- (c) _____ may still be being committed by defendant.

12. Please attach to this complaint a copy of the charges filed with the Equal Employment Opportunity Commission, which are submitted as a brief statement of the facts supporting this complaint.

WHEREFORE, Plaintiff prays that the Court grant the following relief to the plaintiff:

- (a) _____ Defendant be directed to employ plaintiff, or
- (b) _____ Defendant be directed to re-employ plaintiff, or
- (c) _____ Defendant be directed to promote plaintiff, or;
- (d) x Defendant be directed to pay the Plaintiff the sum of \$750,000 which includes back pay, doctor fees, attorney fees, medications, mental anguish, job searching, pain and suffering. This amount is based upon EEOC guidelines/employer size.

and that the Court grant such other relief as may be appropriate, including injunctive orders, damages, costs and attorney's fees.

13. I would like to have my case tried by a jury. Yes () No (x)


SIGNATURE OF PLAINTIFF